

Meeting No. 8
April 7, 2003
Hamburg Town Board Meeting
S-6100 South Park Avenue
Hamburg, New York 14075

Roll Call:	Patrick H. Hoak	Supervisor
	D. Mark Cavalcoli	Councilman
	Kathleen C. Hochul	Councilwoman
	Joan A. Kesner	Councilwoman
	Thomas Quatroche, Jr.	Councilman

Also Present:	Catherine Rybczynski	Town Clerk
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7:00 p.m. Public Hearing for proposed Engel Drive Sewer Improvements.

EXTRACT OF MINUTES

Meeting of the Town Board of the
Town of Hamburg, in the
County of Erie, New York
April 7, 2003

* * *

A regular meeting of the Town Board of the Town of Hamburg, in the County of Erie, New York, was held at the Town Hall, in said Town, on April 7, 2003.

There were present: Hon. Patrick H. Hoak, Supervisor; and

Councilpersons:	D. Mark Cavalcoli
	Kathleen Courtney Hochul
	Joan A. Kesner
	Thomas J. Quatroche, Jr.

There were absent:

Also present:	Richard G. Boehm, Deputy Town Attorney
	Catherine A. Rybczynski, Town Clerk

At 7:00 p.m., local time, Supervisor Hoak declared the public hearing on the proposed Engel Drive Sewer Improvements open:

The following individuals spoke in favor of the proposed improvements.

The following individuals spoke in opposition to the proposed improvements.

At 7:00 p.m. local, time, Supervisor Hoak declared the public hearing closed.

* * *

Councilmember Cavalcoli offered the following resolution and moved its

adoption **I.**

A meeting of the Town Board of the Town of Hamburg, in the County of Erie, New York, was held at the Town Hall, in said Town, on the 7^h day of April 2003.

PRESENT:

Hon. Patrick H. Hoak,	Supervisor
D. Mark Cavalcoli,	Councilperson
Kathleen Courtney Hochul,	Councilperson
Joan A. Kesner,	Councilperson
Thomas J. Quatroche, Jr.	Councilperson

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In the Matter
of the

Construction of Sewer Improvements in a Benefited Area (Engel Drive Sewer Improvement Area) in the Town of Hamburg, County of Erie, New York, pursuant to Article 12-C of the Town Law.

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**RESOLUTION OF THE TOWN OF HAMBURG, NEW YORK
ADOPTED APRIL 7, 2003, APPROVING THE CONSTRUCTION
OF SEWER IMPROVEMENTS WITHIN THE ENGEL DRIVE SEWER
IMPROVEMENT AREA, WHICH AREA HAS BEEN DETERMINED
TO BE THE BENEFITED AREA, AND MAKING OTHER
DETERMINATIONS IN CONNECTION THEREWITH.**

WHEREAS, the Town Board of the Town of Hamburg (herein called "Town Board" and "Town", respectively), in the County of Erie, New York, has, pursuant to Town Law Article 12-C, caused R & D Engineering, Inc., competent engineers duly licensed by the State of New York, to prepare a map, plan and report for the Engel Drive Sewer Improvement Area, consisting of the construction of a sanitary sewage system consisting of 1,000 linear feet (LF) of 8" pipe, 400 LF of 6" pipe, 400 LF of 4" pipe, manholes, grinder pump, land or rights in land, equipment, machinery, furnishings appurtenances and related site work, (the "Sewer Improvement"), all within an area of Town outside of any Towns, which area has been determined to be the benefited area, which map, plan and report have been duly filed in the office of the Town Clerk of the Town for public inspection; and

WHEREAS, the Town Board has given due consideration to the impact that the Sewer Improvement may have on the environment and, on the basis of such consideration, the Town Board has found that no substantial adverse environmental impact will be caused by the Sewer Improvement; and

WHEREAS, the Town Board and the Town have complied in every aspect with all applicable federal, state and local laws and regulations regarding environmental matters, including compliance with the New York State Environmental Quality Review Act, comprising Article 8 of the Environmental Conservation Law and, in connection therewith, a duly executed negative declaration and/or other applicable documentation has been filed in the office of the Town Clerk; and

WHEREAS, the maximum amount proposed to be expended for the construction of such Sewer Improvement is estimated to be \$148,750 which is planned to be financed by the issuance of \$148,750 of serial bonds of the Town paid for by the assessment, levy and collection of special assessments from the several lots and parcels of land within the Improvement Area, which the Town Board shall determine and specify to be especially benefited thereby, so much upon and from each as shall be in just proportion to the amount of benefit conferred upon the same, to pay the principal of and interest on said bonds as the same shall become due and payable, offset by any grants which may receive; and

WHEREAS, the Town Board has determined to proceed with the construction of such Sewer Improvement and adopted an Order on March 24, 2003, reciting a description of the improvements proposed, a description of the proposed benefited area, the proposed method of financing to be employed, the fact that a map, plan, and report describing the same are on file in the Town Clerk's Office for public inspection and specifying April 7, 2003, at 7:00 o'clock P.M. (Prevailing Time) as the time when, and the Town Hall, Hamburg, New York, as the place where, the Town Board would meet to consider the construction of such Sewer Improvement and to hear all persons interested in the subject thereof concerning the same, and for such other action on the part of the Town in relation thereto as may be required by law; and

WHEREAS, certified copies of such order were duly published and posted pursuant to the provisions of Article 12-C of the Town Law, and mailed to residents of the Improvement area; and

WHEREAS, a public hearing in the matter of the construction of the proposed Sewer Improvement was duly held by the Town Board on this 7th day of April, 2003, commencing at 7:00 o'clock P.M. (Prevailing Time) at the Town Hall, Hamburg, New York, at which all interested persons desiring to be heard, including those in favor of, and those opposed to, the construction of said Sewer Improvement;

NOW, THEREFORE, upon the evidence adduced at such public hearing, be it RESOLVED BY THE TOWN BOARD OF THE TOWN OF HAMBURG, IN THE COUNTY OF ERIE, NEW YORK, AS FOLLOWS:

Section 1: It is hereby determined that:

a) the notice of public hearing was published and posted as required by law, and is otherwise sufficient;

b) all the property in the Benefited Area is benefited by the Sewer Improvement and all the property benefited by the Sewer Improvement is included in the Benefited Area; and

c) It is in the public interest to construct the Sewer Improvement described in the recitals hereof, within the Benefited Area, at the estimated maximum cost of \$148,750.

Section 2: The construction of the Sewer Improvement within the Benefited Area is hereby approved, as hereinabove described, and such facilities are hereby authorized to be constructed, as described herein, within the Benefited Area, in the Town, situate wholly outside of any incorporated Village, and said Benefited Area is more particularly bounded and described as follows:

LEGAL DESCRIPTION OF PROPOSED
ENGEL DRIVE SANITARY SEWER IMPROVEMENT AREA

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Hamburg, County of Erie and State of New York, being part of Lot 18, Township 9, Range 8 of the Holland Land Company's Survey, and further described as follows:

BEGINNING at a point on the north line of Old Lakeview Road, the said point also being on the east line of Engel Drive; thence easterly along the north line of Old Lakeview Road, a distance of 118 feet more or less to the southeast corner of Parcel No. 195.03-2-8; thence northerly along the east line of said parcel, a distance of 186 feet more or less to the northeast corner of said parcel; thence westerly along the north line of said parcel, a distance of 53 feet more or less to the northeast corner of Sublot No. 1, Map Cover 1761 as filed in the Erie County Clerk's office; thence northerly along the east line of said Map Cover and extension thereof, a distance of 495 feet more or less to the northeast corner of Parcel No. 195.03-2-2.1; thence westerly at a right angle, a distance of 256 feet more or less to the west line of Engel Drive; thence northwesterly along a curve to the left and along the Engel Drive right-of-way, a distance of 129 feet more or less to the east line of Sublot No. 7, Map Cover 1761; thence northerly along the east line of said Sublot No. 7, a distance of 3 feet more or less to the northeast corner of said Sublot No. 7; thence westerly along the north line of said Sublot No. 7, a distance of 290 feet more or less to the northwest corner of Sublot No. 7, Map Cover 1761; thence southerly along the west line of Map Cover 1761, a distance of 829 feet more or less to the southwest corner of Sublot No. 13, Map Cover 1761; thence easterly along the south line of Map Cover 1761, a distance of 375 feet more or less to the north line of Old Lakeview Road; thence easterly along the north line of Old Lakeview Road, a distance of 130 feet more or less to the point or place of beginning.

Section 3:

The maximum amount proposed to be expended for said improvements is \$148,750 which is planned to be financed by the issuance of \$148,750 serial bonds of the Town to finance said cost, and the levy and collection of special assessments from the several lots and parcels of land within such Benefited Area to be collected in just proportion to the amount of benefit which the Sewer Improvement shall confer upon such lots or parcels within the boundaries of the Benefited Area, to pay the principal of and interest on said bonds as the same shall become due and payable. Any funds received or to be received from the United States of America and/or the State of New York and/or Erie County in connection with such project shall be applied towards the cost of said object or purpose of redemption of said Bonds issued therefore, or shall be budgeted as an offset to the taxes for the payment of the principal and interest on said bonds.

Section 4:

The said \$148,750 estimated expense of such Sewer Improvement does not exceed one-tenth of one per centum of the full valuation of the taxable real property in the area of the Town outside of Villages, and the permission of the Comptroller of the State of New York is not required in order to finance the cost of said Sewer Improvement, in the Town, as herein described, pursuant to the provisions of said Town Law.

Section 5:

The Town Clerk of the Town is hereby authorized and directed to record a certified copy of this resolution, within ten (10) days after adoption in the office of the County Clerk of Erie County.

Section 6:

The Sewer Improvement constructed shall be a Town function and the Town Board shall be responsible for the necessary management, maintenance, operation and repair thereof. The cost of such management, maintenance, operation and repair shall be a charge upon the area of the Town outside of any Villages and shall be levied and collected in the same manner and at the same time as other Town charges, less sewer rents established in accordance with New York State law.

Section 7:

This resolution shall take effect immediately.

The adoption of the foregoing resolution was seconded by Councilperson _____ and duly put to a vote on roll call, which resulted as follows:

AYES:

NOES:
The resolution was declared adopted

STATE OF NEW YORK)
 :SS:
COUNTY OF ERIE)

I, CATHERINE A. RYBCZYNSKI, Town Clerk of the Town of Hamburg, in the County of ERIE, New York, DO HEREBY CERTIFY that I have compared the preceding RESOLUTION OF THE TOWN OF HAMBURG, NEW YORK ADOPTED APRIL 7, 2003, APPROVING THE CONSTRUCTION OF SEWER IMPROVEMENTS WITHIN THE ENGEL DRIVE SEWER IMPROVEMENT AREA with the original thereof filed in my office on the 7th day of April, 2003, and that the same is a true and correct copy of said original and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the
corporate seal of said Town on this 8th day of April,
2003.

(SEAL)

Town Clerk

The following resolution was offered by _____, seconded by _____, to wit;

BOND RESOLUTION DATED APRIL 7, 2003

A RESOLUTION OF THE TOWN OF HAMBURG TOWN BOARD DATED APRIL 7, 2003, AUTHORIZING THE ENGEL DRIVE SEWER IMPROVEMENTS IN A MAXIMUM AMOUNT NOT TO EXCEED \$148,750, AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$148,750 OF THE TOWN OF HAMBURG, ERIE COUNTY, NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SAID PURPOSE AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE TOWN SUPERVISOR.

WHEREAS, the Town Board of the Town of Hamburg, Erie County, New York (the "Town"), has determined to proceed with the Engel Drive Sewer Improvements; and

WHEREAS, the Town Board desires to undertake the construction of the Sewer Improvements, consisting of 1,000 linear feet (LF) of 8" pipe, 400 LF of 6" pipe, 400 LF of 4" pipe, manholes, grinder pump, land or rights in land, equipment, machinery, furnishings appurtenances and related site work, (the "Project"); and

WHEREAS, the Town Board desires to issue obligations of the Town to finance the costs of the Project.

BE IT RESOLVED, by the Town Board (by the favorable vote of not less than two-thirds of all the members of the Board) as follows:

SECTION 1. The specific purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution is the Engel Drive Sewer Improvements in the Town of Hamburg. The maximum cost of said purpose will not exceed \$148,750.

SECTION 2. The Town Board plans to finance the maximum estimated cost of said purpose by the issuance of serial bonds in an amount not to exceed \$148,750 of said Town, hereby authorized to be issued therefore pursuant to the Local Finance Law. The cost of such improvement is to be paid by the issuance of serial bonds, and the levy and collection of taxes on all real property in the Sewer Improvement Area to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

SECTION 3. It is hereby determined that said purpose is an object or purpose described in subdivision 4 of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is forty (40) years.

SECTION 4. Current funds are not required to be provided prior to the issuance of the bonds authorized by this resolution or any notes issued in anticipation of the sale of said bonds.

SECTION 5. It is hereby determined the proposed maturity of the obligations authorized by this resolution will be in excess of five years.

SECTION 6. The faith and credit of said Town are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Sewer Improvement Area a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

SECTION 7. Subject to the provisions of this resolution and of the Local Finance Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals of said notes and of Section 21.00, Section 50.00, Sections 56.00 to 60.00, Section 62.00 and Section 63.00 of the Local Finance Law, the powers and duties of the Town Board pertaining or incidental to the sale and issuance of the obligations herein authorized, including but not limited to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Town Supervisor, the chief fiscal officer of the Town.

SECTION 8. The expected source of funds to be used initially to pay for up to \$148,750 of the expenditures authorized by Section 1 of this resolution shall be from moneys held in various accounts of the Town. The Town then reasonably expects to reimburse such expenditure with the proceeds of the bonds or bond anticipation notes authorized by Section 2 of this resolution. This resolution shall constitute the declaration of the Town's "official intent" to reimburse the expenditures authorized by Section 1 hereof with the proceeds of the bonds and notes authorized herein, as required by United States Treasury Regulation Section 1.150-2.

SECTION 9. The Town Supervisor is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution, and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the bonds authorized by this resolution, and any notes issued in anticipation thereof as "qualified tax-exempt bonds" in accordance with Section 265(b)(3)(B)(I) of the Code.

SECTION 10. The Town Supervisor is further authorized to enter into a continuing disclosure agreement with the initial purchaser of the bonds or notes authorized by this resolution, containing provisions which are satisfactory to such purchaser in compliance with the provisions of Rule 15c12-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 11. The Town has issued a negative declaration determining that the undertaking of the Project will not have a significant effect on the environment.

SECTION 12. The validity of said serial bonds or of any bond anticipation notes issued in anticipation of the sale of said serial bonds may be contested only if:

(1) (a) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or

(b) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication; or

(2) Said obligations are authorized in violation of the provisions of the Constitution of New York.

SECTION 13. This Resolution is effective immediately.

SECTION 14. The Town Clerk is hereby authorized and directed to publish this resolution, or a summary thereof, together with a notice in substantially the form provided by Section 81.00 of said Local Finance Law, in the "SUN AND ERIE COUNTY INDEPENDENT" and the "FRONT PAGE," newspapers having a general circulation in said Town and hereby designated as the official newspapers of said Town for such publication.

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

VOTING _____
VOTING _____
VOTING _____
VOTING _____
VOTING _____

The foregoing resolution was thereupon declared duly adopted.

CERTIFICATE OF RECORDING OFFICER

The undersigned hereby certifies that:

(1) She is the duly qualified and acting Clerk of the Town of Hamburg, New York (hereinafter called the “Town”) and the custodian of the records of the Town, including the minutes of the proceedings of the Town Board; and is duly authorized to execute this certificate.

(2) Attached hereto is a true and correct copy of a resolution duly adopted at a meeting of the Town Board held on the 7th day of April, 2003 and entitled:

A RESOLUTION OF THE TOWN OF HAMBURG TOWN BOARD DATED APRIL 7, 2003, AUTHORIZING THE ENGEL DRIVE SEWER IMPROVEMENTS IN A MAXIMUM AMOUNT NOT TO EXCEED \$148,750, AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$148,750 OF THE TOWN OF HAMBURG, ERIE COUNTY, NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SAID PURPOSE AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE TOWN SUPERVISOR.

(3) Said meeting was duly convened and held and said resolution was duly adopted in all respects in accordance with law and the regulations of the Town. To the extent required by law or said regulations, due and proper notice of said meeting was given. A legal quorum of members of the Town Board was present throughout said meeting, and a legally sufficient number of members (2/3 of the Town Board) voted in the proper manner for the adoption of the resolution. All other requirements and proceedings under law, said regulations, or otherwise, incident to said meeting and the adoption of the resolution, including any publication, if required by law, have been duly fulfilled, carried out and otherwise observed.

(4) The seal appearing below constitutes the official seal of the Town and was duly affixed by the undersigned at the time this certificate was signed.

IN WITNESS WHEREOF, the undersigned has hereunto set her hand this 8th day of April, 2003

(SEAL)

Catherine A. Rybczynski
Town Clerk

STATE OF NEW YORK)
COUNTY OF ERIE) ss:

I, CATHERINE A. RYBCZYNSKI, Town Clerk of the Town of Hamburg, in the County of Erie, New York, DO HEREBY CERTIFY that I have compared the preceding Bond Resolution with the original thereof filed in my office on the 7th day of April, 2003, and that the same is a true and correct copy of said original and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the
corporate seal of said Town on this 8th day of April,
2003.

(SEAL)

Town Clerk

RESOLVED, that the Town Board approve the minutes of the following meeting:

Town Board Meeting

Seconded:

Noes:

RESOLVED, that the Town Board approve the Transfer of Appropriations for the Finance Department within the 2003 Budget as follows:

\$7,000.00

\$7,000.00

Funding for additional work required for GASBY "34" requirements and computer program for depreciation schedules.

Seconded:

Noes:

RESOLVED, that the Town Board authorize the Recreation Department to issue alcohol waivers for the following April Taylor Road rental dates as follows:

04/12/03

04/20/03

04/26/03

Seconded:

Noes:

RESOLVED, that the Town Board approve the use of one voting machine for the Hamburg American Legion Post #527 on Saturday, May 3, 2003 for their Post elections.

Seconded:

Noes:

VI.

RESOLVED, that the Town Board approve the hiring and termination of part-time personnel for the Recreation Department as follows:

1.	Giacomini, Matthew	B7310(320)	04/04/2003	Terminate
2.	Reynolds, Brigit	“	04/04/2003	Terminate
3.	Saunders, Kelly	“	04/04/2003	Terminate
4.	Williams, Melissa	“	04/04/2003	Terminate
5.	Domanowski, Matthew	B7310(320)	04/04/2003	\$7.25
		Rec. Attendant Skate Park		
6.	Evert, Christopher	“	04/04/2003	\$8.25
7.	Giacomini, Matthew	“	04/04/2003	\$6.00
8.	Machelski, Nicholas	“	04/04/2003	\$7.00
9.	Reynolds, Brigit	“	04/04/2003	\$8.50
10.	Saunders, Kelly	“	04/04/2003	\$9.00
11.	Williams, Melissa	“	04/04/2003	\$7.50
12.	Reardon, Marilyn	B7310(320)	03/31/2003	\$7.00
		Rec. Attendant		

Moved: Quatroche

Seconded:

Roll Call: Ayes:

Noes:

VII.

RESOLVED, that the Town Board approve the hiring and termination of personnel for the Building and Grounds Department as follows:

1.	Ersing, Michael	P/T Laborer	04/07/2003	Terminate
2.	Ersing, Michael	Seasonal Laborer	04/07/2003	\$8.80
3.	Durshy, Ronald	P/T Laborer	04/07/2003	Terminate
4.	Durshy, Ronald	Seasonal Laborer	04/07/2003	\$8.80
5.	Jasinski, Thomas	P/T Laborer	04/07/2003	\$8.80
6.	Kales, George	P/T Laborer	04/07/2003	\$8.80
7.	Zulawski, John	Seasonal Laborer	04/07/2003	\$8.80
8.	Scinta, Mike	Seasonal Laborer	04/07/2003	\$8.80

Moved: Quatroche

Seconded:

Roll Call: Ayes:

Noes:

VIII.

RESOLVED, that the Town Board approve the appointment of BARBARA SCHEFFLER to the vacant position of Recreation Specialist in the Senior Services Dept. Appointment effective April 8, 2003; salary at \$13.52 per hour per CSEA White Collar contract; funds available in A6772.100.

Moved: Cavalcoli

Seconded:

Roll Call: Ayes:

Noes:

IX.

WHEREAS, the Town of Hamburg has been working in cooperation with the U.S. Army Corps of Engineers and New York State Dept. of Transportation on the Route 5/Athol Springs Shoreline Protection Project; and

WHEREAS, the Corps of Engineers has prepared a Revised Project Study Plan which credits the Town of Hamburg for \$20,000 of in-kind services for work provided by the Town during the feasibility study process associated with this project,

THEREFORE BE IT RESOLVED, that the Supervisor is authorized to sign the Revised Agreement with the Corps of Engineers in this regard, for which there are no additional costs to the Town of Hamburg.

BE IT FURTHER RESOLVED, that the Town Clerk is requested to provide a certified copy of this resolution to the Engineering Department, for transmittal to the Corps of Engineers together with the signed Agreement.

Moved: Quatroche

Seconded:

Roll Call: Ayes:

Noes:

X.
RESOLVED, that the Town Board approve the hiring of part-time personnel for the Supervisor as follows:

1. Smith, Mary Anne	Clerk - Seasonal	03/31/2003	\$7.77
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Moved: Hoak

Seconded:

Roll Call: Ayes:

Noes:

XI.
WHEREAS, R&D Engineering, Inc. is currently finalizing the plans and specifications for a Sanitary Sewer Rehabilitation Project (Contract No. 9) within various portions of Town sewer districts located in the Hamburg Sewer Improvement Area, and it is expected that the project will soon be able to be advertised for bids.

THEREFORE BE IT RESOLVED, that an advertisement for bids for the construction of Contract No. 9 is authorized to be published in the official Town newspapers. The dates of publication and bid opening are to be determined by the Town Engineer upon the plans and specifications being ready for bidding.

Moved: Hoak

Seconded:

Roll Call: Ayes:

Noes:

XII.

BE IT RESOLVED, that the Hamburg Town Board authorize the transfer of Community Development Block Grant funds between the following accounts:

transfer from CD 24 8668.351; Housing Rehabilitation in the amount of \$95,175.80

transfer to CD 24 8662.356; Homeownership Assistance

This transfer within housing programs will allow the Department of Community Development to ease the demand for funding for the Hometown Housing Program Conditional Grant programs and is in compliance with the town's overall housing objectives and Consolidated Action Plan.

Moved: Kesner

Seconded:

Roll Call: Ayes:

Noes:

XIII.

WHEREAS, Nussbaumer & Clarke, Inc. has finalized the plans and specifications for a sewer extension project within the Hamburg Master Sewer District along South Park Avenue and Bayview Road. The documents are currently being reviewed by the various State and County agencies, and it is expected that the project will soon be approved and able to be advertised for bids.

THEREFORE BE IT RESOLVED, that an advertisement for bids for the construction of this project is authorized to be published in the official Town newspapers. The dates of publication and bid opening are to be determined by the Town Engineer upon the plans and specifications being approved and ready for bidding.

Moved: Hoak

Seconded:

Roll Call: Ayes:

Noes:

XIV.

WHEREAS, Malcolm Pirnie, Inc. has finalized the plans and specifications for the Highland Acres Sanitary Sewer Extension Project (Contract No. 4), which will provide public sewer service to properties in the area of the Big Tree Road/South Park Avenue intersection and easterly along Big Tree Road. The documents are currently being reviewed by the various State and County agencies, and it is expected that the project will soon be approved and able to be advertised for bids.

THEREFORE BE IT RESOLVED, that an advertisement for bids for the construction of Contract No. 4 is authorized to be published in the official Town newspapers. The dates of publication and bid opening are to be determined by the Town Engineer upon the plans and specifications being approved and ready for bidding.

Moved: Cavalcoli

Seconded:

Roll Call: Ayes:

Noes:

TOWN OF HAMBURG



PROCLAMATION

WHEREAS, the United States Department of Housing and Urban Development's Community Development Block Grant (CDBG) program was first enacted into law in 1974 and,

WHEREAS, the CDBG program is the principal Federal program providing grants to states, cities, towns and counties to devise innovative and constructive approaches to improve the physical, economic and social conditions within communities, and

WHEREAS, the Town of Hamburg has been a Community Development Block Grant Program Entitlement Community since 1985 and successfully administered this program within the Town and the Villages of Blasdell and Hamburg.

WHEREAS, a week long campaign to emphasize both locally and at the national level the contributions of the federal Community Development Block Grant program will be held throughout the country during this annual celebration of National Community Development Week with this years theme being CDBG; .Building Communities Coast to Coast.

THEREFORE FOR THIS REASON it is my privilege as Supervisor of the Town of Hamburg to proclaim April 21 - 27, 2003 as National Community Development Block Grant week within the Town of Hamburg.

Moved: Hoak

Seconded:

Roll Call: Ayes:

 Noes:

TOWN OF HAMBURG



PROCLAMATION

WHEREAS, the Town of Hamburg recognizes April, 2003 as the thirty-fifth anniversary of the national Fair Housing Law, Title VIII of the Civil Rights Acts of 1968, and

WHEREAS, every American has the right to Fair Housing, the right, to live where they choose, the right to raise a family, the right to own a home in dignity without fear of discrimination, and

WHEREAS, the Town of Hamburg has been and continues to be dedicated to the goal of Fair Housing and will continue to fight the existence of discrimination, and

WHEREAS, the Town of Hamburg hereby provides continued assurance with its own Fair Housing Law and proclaims its dedication to the goal of Fair Housing and Fair Housing Opportunities for all members of the community.

THEREFORE FOR THIS REASON it is my privilege as Supervisor of the Town of Hamburg to proclaim the month of April, 2003 as

“FAIR HOUSING MONTH”

in the Town of Hamburg and urge all residents to recognize the importance all fair housing laws, including the towns fair housing law, and their continuing ability to serve the interests of our great community.

Moved: Hoak

Seconded:

Roll Call: Ayes:

Noes:

XVII.

RESOLVED, that the Town Board approve the hiring of personnel for the Building and Grounds Department as follows:

1. John Ryan	Seasonal Laborer	04/24/2003	\$8.80
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Moved: Quatroche

Seconded:

Roll Call: Ayes:

Noes:

XVIII.

WHEREAS, as a condition of approval of the plans and specifications for the Highland Acres Sanitary Sewer Extension Project, the New York State Dept. of Environmental Conservation (NYSDEC) required the Town of Hamburg to prepare an Action Plan for conducting various study activities in the downstream sewer system, in order to address NYSDEC concerns regarding the availability of adequate sewer capacity to handle the additional wastewater flows to be generated by the project; and

WHEREAS, NYSDEC has recently approved the Action Plan and directed the Town to proceed with the associated study activities and reporting requirements, which include flow monitoring, manhole inspections, smoke testing, dye testing, sewer television inspections, and an evaluation of the North Street Pump Station; and

WHEREAS, Malcolm Pirnie, Inc. has submitted a proposal to the Town for providing engineering services necessary for the implementation of the Action Plan, which has been reviewed by the Town Engineer and determined to be reasonable and acceptable for the services to be provided, at a negotiated total lump sum fee of \$59,500.

THEREFORE BE IT RESOLVED, that Malcolm Pirnie, Inc. is awarded a contract for this work, and that the Supervisor is authorized to sign their April 4, 2003 proposal/letter agreement in this regard. Funding for these services has been previously budgeted under Account No. SS21-8120.303.

Moved: Cavalcoli

Seconded:

Roll Call: Ayes:

Noes:

Correspondence - April 7, 2003

54 - To Supervisor Hoak from Fred Stockwell, President - S.O.A.R. (Steelworkers Organization of Active Retirees) expressing thanks for the Town's efforts in trying to get health-care insurance for retirees and their families.

55 - To Supervisor Hoak from Timothy Allan, 3696 South Hill Road, about the Water Valley Preserve Subdivision, stating that he is very concerned about the suitability and safety of the only access road which is Hampton Brook Drive.

56 - Cathy Rybczynski, Town Clerk, from Gary Anstett, Hamburg American Legion Post #527, requesting the use of one Voting machine for their Post election to be held on May 3, 2003. (prefiled)

57 - Supervisor Hoak from the Town Clerk, the Monthly Report for March 2003 with receipts totaling \$49,303.44.

58 - To Supervisor Hoak from Insurance Services Office, Inc., concerning Public Fire Protection in the Scranton Fire Protection District. Stating they resurvey all communities and areas which have public fire protection to assure that proper property insurance premium calculations recognition for existing public fire protection is available to individual property owners.